

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-NINTH LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 19, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Gannon, Malepeai, and Stennett, absent and formally excused by the Chair; and Senators Cameron, Goedde, and Werk, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Sarah Decker, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 16, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Cameron, Goedde, and Werk were recorded present at this order of business.

March 19, 2007

The JUDICIARY AND RULES Committee reports that **S 1230, S 1231, S 1232, S 1233, S 1234, S 1235, S 1236, S 1237, and S 1238** have been correctly printed.

DARRINGTON, Chairman

S 1230, S 1231, S 1232, S 1233, S 1234, S 1235, S 1236, S 1237, and S 1238 were referred to the Finance Committee.

March 16, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **S 1186, S 1187, S 1188, S 1189, S 1190, and S 1191** were delivered to the Office of the Governor at 2:17 p.m., March 16, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 16, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 107** was delivered to the Office of the Secretary of State at 11:27 a.m., March 16, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 19, 2007

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 123**, as amended in the Senate, **H 42**, as amended in the Senate, and **H 166**, as amended, as amended in the Senate, have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 16, 2007

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Richard L. Cade, Idaho State Racing Commission, term to expire January 1, 2013.

McKENZIE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 16, 2007

The STATE AFFAIRS Committee reports out **H 253** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

McKENZIE, Chairman

There being no objection, **H 253** was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2007

The STATE AFFAIRS Committee reports out **H 103** and **H 104** with the recommendation that they do pass and with the recommendation that they be referred to the Consent Calendar.

McKENZIE, Chairman

H 103 and **H 104** were filed for second reading.

March 16, 2007

The STATE AFFAIRS Committee reports out **H 222** and **H 267** with the recommendation that they do pass.

McKENZIE, Chairman

H 222 and **H 267** were filed for second reading.

March 19, 2007

The TRANSPORTATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

R. James Coleman to the Idaho Transportation Board, term to expire January 31, 2013.

McGEE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 15, 2007

The FINANCE Committee reports out **S 1230**, **S 1231**, **S 1232**, **S 1233**, **S 1234**, **S 1235**, **S 1236**, **S 1237** and **S 1238** with the recommendation that they do pass.

CAMERON, Chairman

S 1230, **S 1231**, **S 1232**, **S 1233**, **S 1234**, **S 1235**, **S 1236**, **S 1237** and **S 1238** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 15, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1148

As Always, Idaho - *Esto Perpetua*,
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 16, 2007

Mr. President:

I transmit herewith **H 217**, **H 315**, **H 316**, **H 317**, **H 318**, **H 319**, and **H 320** which have passed the House.

JUKER, Chief Clerk

H 217, **H 315**, **H 316**, **H 317**, **H 318**, **H 319**, and **H 320** were filed for first reading.

March 16, 2007

Mr. President:

I return herewith **S 1082**, as amended, which has passed the House.

JUKER, Chief Clerk

S 1082, as amended, was referred to the Judiciary and Rules Committee for enrolling.

March 16, 2007

Mr. President:

I transmit herewith Enrolled **H 154**, **H 177**, **H 204**, **H 215**, **H 140**, **H 86**, **H 87**, **H 182**, **H 231**, **H 232**, **H 238**, **H 147**, **H 191**, and **H 110** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **H 154**, **H 177**, **H 204**, **H 215**, **H 140**, **H 86**, **H 87**, **H 182**, **H 231**, **H 232**, **H 238**, **H 147**, **H 191**, and **H 110** and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced the Idaho State Bar report relative to the Gubernatorial appointment of Judge Ronald Wilper was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Darrington, the Idaho State Bar appointment of Judge Ronald Wilper as a member of the Idaho Judicial Council was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Idaho State Bar appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing the Board of Commissioners of the Idaho State Bar of the action of the Senate.

The President Pro Tempore announced the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Richard Moore was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stegner, seconded by Senator Kelly, the Gubernatorial appointment of Richard Moore as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced the Resources and Environment Committee report relative to the Gubernatorial appointment of Linda Mitchell was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Langhorst, the Gubernatorial appointment of Linda Mitchell as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that **HCR 21** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Broadsword, seconded by Senator Werk, **HCR 21** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2007

The STATE AFFAIRS Committee reports out **S 1202** with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

McKENZIE, Chairman

Senator Davis objected to **S 1202** being placed on the Consent Calendar.

S 1202 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

H 123, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 42, as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

H 166, as amended, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 217, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 315, H 316, H 317, H 318, H 319, and H 320, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 270, as amended, by Education Committee, was read the second time at length and filed for third reading.

H 228, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 88, H 89, H 90, H 91, H 92, H 96, H 97, H 111, and H 98, by Business Committee, were read the second time at length and filed for third reading.

H 296, H 297, H 298, H 299, and H 300, by Appropriations Committee, were read the second time at length and filed for third reading.

H 249, as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 265, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 301, H 302, H 303, H 304, H 306, H 307, H 308, H 309, H 310, H 311, H 312, H 313, and H 314, by Appropriations Committee, were read the second time at length and filed for third reading.

H 74, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1202, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1138, having previously been read the third time at length, debate having previously been opened, and having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and re-opened the debate.

Pursuant to Senate Rule 39(H), Senator Corder disclosed a possible conflict of interest under applicable law.

The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bair, Bastian, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Siddoway. Total - 24.

NAYS--Andreason, Bilyeu, Broadsword, Burkett, Hill, Schroeder, Stegner, Werk. Total - 8.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1138** passed, title was approved, and the bill ordered transmitted to the House.

S 1180, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bair, Bastian, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Siddoway. Total - 23.

NAYS--Andreason, Bilyeu, Broadsword, Burkett, Goedde, Hill, Schroeder, Stegner, Werk. Total - 9.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1180** passed, title was approved, and the bill ordered transmitted to the House.

S 1213 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1213** passed, title was approved, and the bill ordered transmitted to the House.

S 1209 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1209** passed, title was approved, and the bill ordered transmitted to the House.

H 152 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 152** passed, title was approved, and the bill ordered returned to the House.

H 170 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 170** passed, title was approved, and the bill ordered returned to the House.

H 230 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 230** passed, title was approved, and the bill ordered returned to the House.

S 1210 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly,

Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Werk. Total - 31.

NAYS--Stegner. Total - 1.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1210** passed, title was approved, and the bill ordered transmitted to the House.

S 1211 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1211** passed, title was approved, and the bill ordered transmitted to the House.

S 1212 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Bastian and Werk arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Stegner, Werk. Total - 30.

NAYS--Corder, Siddoway. Total - 2.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1212** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Langhorst, by voice vote the Senate recessed at 12:05 p.m. until the hour of 1:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senators Gannon, Malepeai, and Stennett, absent and formally excused by the Chair; President Pro Tempore Geddes and Senators Cameron and Schroeder, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 19, 2007

Mr. President:

I transmit herewith Enrolled **H 81**, as amended in the Senate, for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 81**, as amended in the Senate, and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

President Pro Tempore Geddes and Senators Cameron and Schroeder were recorded present at this order of business.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 123**, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 123, as amended in the Senate, was read the second time by title and the third time at length and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 123**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 42**, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 42, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 42**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

President Pro Tempore Geddes assumed the Chair.

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 166**, as amended, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 166, as amended, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senators Lodge, Cameron, and McGee arose as co-sponsors of the bill and opened the debate.

Pursuant to Senate Rule 39(H), Senator Kelly disclosed a possible conflict of interest under applicable law.

The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 166**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Eighth Order of Business.

Messages from the Governor

March 16, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that George Bacon of Boise, Idaho, was appointed by the Land Board as Director of the Idaho Department of Lands.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1202** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1202 was read the third time at length and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1202** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

President Risch returned to the Chair.

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 74**, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 74, as amended in the Senate, was read the third time at length and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Moved by Senator Goedde seconded by Senator Hammond, that **H 74**, as amended in the Senate, be referred to the Local Government and Taxation Committee. Whereupon the President announced that by voice vote the motion did not prevail.

The question being, "Shall **H 74**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES--Andreason, Bastian, Bilyeu, Broadsword, Burkett, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKenzie, Richardson, Schroeder, Stegner, Werk. Total - 25.

NAYS--Bair, Hammond, McKague, Pearce, Siddoway. Total - 5.

Absent and excused--Cameron, Fulcher, Gannon, Malepeai, Stennett. Total - 5.

Total - 35.

Whereupon the President declared **H 74**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 207 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 207** passed, title was approved, and the bill ordered returned to the House.

The President called President Pro Tempore Geddes to the Chair.

H 214 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 214** passed, title was approved, and the bill ordered returned to the House.

H 241 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 241** passed, title was approved, and the bill ordered returned to the House.

H 159 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 32.

NAYS--None.

Absent and excused--Gannon, Malepeai, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 159** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

Senator Stennett was recorded present at this order of business.

H 119, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Coiner and Lodge arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 31.

NAYS--Burkett. Total - 1.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **H 119**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 168 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **H 168** passed, title was approved, and the bill ordered returned to the House.

S 1214 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **S 1214** passed, title was approved, and the bill ordered transmitted to the House.

S 1215 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **S 1215** passed, title was approved, and the bill ordered transmitted to the House.

S 1216 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **S 1216** passed, title was approved, and the bill ordered transmitted to the House.

S 1217 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Hammond, Heinrich, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner. Total - 26.

NAYS--Burkett, Kelly, Langhorst, Werk. Total - 4.

Absent and excused--Fulcher, Gannon, Goedde, Malepeai, Stennett. Total - 5.

Total - 35.

Whereupon the President declared **S 1217** passed, title was approved, and the bill ordered transmitted to the House.

S 1218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **S 1218** passed, title was approved, and the bill ordered transmitted to the House.

S 1219 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **S 1219** passed, title was approved, and the bill ordered transmitted to the House.

S 1220 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **S 1220** passed, title was approved, and the bill ordered transmitted to the House.

H 282 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **H 282** passed, title was approved, and the bill ordered returned to the House.

H 283 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Siddoway, Stegner, Werk. Total - 29.

NAYS--Schroeder. Total - 1.

Absent and excused--Burkett, Fulcher, Gannon, Malepeai, Stennett. Total - 5.

Total - 35.

Whereupon the President declared **H 283** passed, title was approved, and the bill ordered returned to the House.

H 284 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **H 284** passed, title was approved, and the bill ordered returned to the House.

H 285 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **H 285** passed, title was approved, and the bill ordered returned to the House.

H 286 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bastian arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Fulcher, Gannon, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared **H 286** passed, title was approved, and the bill ordered returned to the House.

President Risch called Senator Darrington to the Chair.

H 287 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bastian arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 31.

NAYS--None.

Absent and excused--Burkett, Gannon, Malepeai, Stennett. Total - 4.

Total - 35.

Whereupon the Acting President declared **H 287** passed, title was approved, and the bill ordered returned to the House.

H 288 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 31.

NAYS--None.

Absent and excused--Burkett, Gannon, Malepeai, Stennett. Total - 4.

Total - 35.

Whereupon the Acting President declared **H 288** passed, title was approved, and the bill ordered returned to the House.

H 289 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 31.

NAYS--None.

Miscellaneous Business

Absent and excused--Burkett, Gannon, Malepeai, Stennett.
Total - 4.

On motion by Senator Davis, seconded by Senator Langhorst,
by voice vote the Senate adjourned at 5:10 p.m. until the hour of
9:30 a.m., Tuesday, March 20, 2007.

Total - 35.

JAMES E. RISCH, President

Whereupon the Acting President declared **H 289** passed, title
was approved, and the bill ordered returned to the House.

Attest: RUSTI HORTON, Assistant Secretary

H 99, as amended, was read the third time at length, section
by section, and placed before the Senate for final consideration.
Senator Little arose as sponsor of the bill and opened the debate.
The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword,
Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde,
Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst,
Little, Lodge, McGee, McKenzie, Richardson, Schroeder,
Siddoway, Stegner, Werk. Total - 28.

NAYS--Fulcher, McKague, Pearce. Total - 3.

Absent and excused--Burkett, Gannon, Malepeai, Stennett.
Total - 4.

Total - 35.

Whereupon the Acting President declared **H 99**, as amended,
passed, title was approved, and the bill ordered returned to the
House.

H 105, as amended, was read the third time at length, section
by section, and placed before the Senate for final consideration.
Senator Coiner arose as sponsor of the bill and opened the debate.
The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword,
Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes,
Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough,
Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce,
Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 31.

NAYS--None.

Absent and excused--Burkett, Gannon, Malepeai, Stennett.
Total - 4.

Total - 35.

Whereupon the Acting President declared **H 105**, as amended,
passed, title was approved, and the bill ordered returned to the
House.